

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**ROBERT HARRIS, ET AL.**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:22-CV-479-TSL-MTP**

**SAM DOBBINS, ET AL.**

**DEFENDANTS**

**MUNICIPAL DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS OR,  
ALTERNATIVELY, FOR SUMMARY JUDGMENT**

Municipal Defendants the City of Lexington, Lexington Police Department, Chief Charles Henderson, James Shiers, Justin Newell, Cordarius Epps, and Derrick Scott (“Municipal Defendants”) move to dismiss Plaintiffs Robert Harris, Darius Harris, Peter Reeves, Malcolm Stewart, and Eric Redmond (“Plaintiffs”) First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(c) or, alternatively, pursuant to Federal Rule of Civil Procedure 56. The contemporaneously filed memorandum in support explains in detail the bases for the requested relief, including that the Plaintiffs did not suffer a constitutional violation, the standards of municipal liability have not been met, Plaintiffs cannot overcome qualified immunity, and Plaintiffs have not plausibly pled a claim under Title VI.

For the reasons articulated in the memorandum, Municipal Defendants respectfully request an order of dismissal.

Dated: November 8, 2022

Respectfully submitted,

**PHELPS DUNBAR, LLP**

BY: /s/ G. Todd Butler

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**ATTORNEYS FOR MUNICIPAL  
DEFENDANTS**

**CERTIFICATE OF SERVICE**

I certify that, on November 8, 2022, I had a copy of this document electronically filed with the Clerk of the Court, using the CM/ECF system, which sent notification of such filing to all counsel of record.

*/s/ G. Todd Butler*

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G. Todd Butler